

Tennessee Department of Health  
Division of Emergency Medical Services  
Regulatory Board  
Board Meeting  
June 23, 2004

APPROVED  
September 29, 2004

Chairman Jack Cochran called the June Board Meeting to order at 9:10 in the Cumberland Board Room on the ground floor of the Cordell Hull Building located at 425 Fifth Avenue North in Nashville, Tennessee.

The roll call was taken:

Dr. Charles Alderson	present
Dr. Donald Barker	absent
Sid Cox	absent
Susan Earl	present
Darren Ellenburg	present
Steve Jones	present
Mark King	present
Don Mosby	present
Grady Scott	absent
Larry Griffin	present
Dr. Steve White	present
Ken Wilkerson	present
Chairman Cochran	present

The record will reflect the absence of Dr. Barker, Sid Cox and Grady Scott.

Chairman Cochran welcomed everyone and informed them there were not any contested cases for the day; therefore, the day would be devoted to business.

Chairman Cochran called upon John Fitzsimmons, President of the Tennessee Ambulance Service Association (TASA), for a presentation. Mr. Fitzsimmons told of his introduction to a young artist who lived in Bedford County by the name of Jared Prigel. Mr. Prigel was asked if he could draw something with an EMS theme. Mr. Fitzsimmons was so impressed with the Mr. Prigel's rendering; he took the artwork to the TASA Board. The TASA Board purchased the art and the rights associated with the work. The TASA Board elected to have 1,000 prints of the original art printed on a high quality paper, with one hundred fifty signed and numbered by the artist. Mr. Fitzsimmons gave the EMS Division the original for display, and presented each board member with a signed, numbered print for their commitment to their communities and the EMS profession.

As a special note of interest; a unique opportunity was given to Jared Prigel. He is now studying in Paris France for three months.

Mr. Fitzsimmons also announced the regular prints would sell for \$5.00 each, and the signed and numbered prints will be \$20.00.

On a closing note, Mr. Fitzsimmons restated the commitment of the TASA organization to the EMS Board, the EMS profession and the State of Tennessee.

### **CONSIDERATION AND VOTE ON RULEMAKING**

1. Amendment of Rule 1200-12-1-.03; Emergency Medical Services Equipment and Supplies
2. Amendment of Rule 1200-12-1-.04; Emergency Medical Technician
3. Amendment of Rule 1200-12-1-.06; Schedule of Fees
4. Amendment of Rule 1200-12-1-.07; Insurance Coverage
5. Amendment of Rule 1200-12-1-.16; Emergency Medical First Responders

Richard Land reported on the rulemaking hearing conducted on June 17<sup>th</sup> in the Magnolia Room of the Cordell Hull Building. Mr. Land stated there were no public comments at the meeting and no written comments were received concerning the amendments.

The amendments pertained to the addition of pulse oximeter on ambulance equipment; a provision of retirement status for EMS professional license; an increase in the schedule of fees to provide for the renewal examination fee; an amendment (scheduled fees to apply) for application fee for interstate reciprocity, which would be an increase over in in-state fee; also, an amendment to the insurance coverage requirements for ambulance services and EMS providers, which was recommended at the last meeting. The provision for the airway module or combitube or PTL for First Responders in .16.

Mark King made the motion to approve the proposed amended rules in their entirety; second by Don Mosby. A roll call vote was taken.

Dr. Alderson	yes	Mark King	yes
Dr. Barker	absent	Don Mosby	yes
Sid Cox	absent	Grady Scott	absent
Susan Earl	yes	Dr. White	yes
Darren Ellenburg	yes	Ken Wilkerson	yes
Larry Griffin	yes	Chairman Cochran	yes
Steve Jones	yes		

**MOTION CARRIED**

### **CLINICAL ISSUES**

Dr. Joe Holley, Chairman, was on vacation. Donna Tidwell reported in his absence. The committee met on May 27 at the Nashville Farmer's Market meeting room.

The KING LT (laryngeal tube) device was presented to the committee for review. Information on the device had been distributed to the board. The committee's recommendation was for adult use only at this time. They wanted the COPEC committee to look at the device for pediatric use; the COPEC committee will be in August.

Steve Jones made the motion to accept the device; second by Ken Wilkerson. During the discussion, Mark King wanted a clarification that First Responders could use the device. Ms. Tidwell said the rule stated "the utilization of a double lumen airway device, such as, the combitube or pharyngeal tracheal lumen airway that has been approved by the EMS Board."

Richard Land said it would also need the approval of the local medical group, and Ms. Tidwell added also the medical director of the EMS service.

The roll call vote was:

Dr. Alderson	yes	Mark King	yes
Dr. Barker	absent	Don Mosby	yes
Sid Cox	absent	Grady Scott	absent
Susan Earl	yes	Dr. White	yes
Darren Ellenburg	yes	Ken Wilkerson	yes
Larry Griffin	yes	Chairman Cochran	yes
Steve Jones	yes		

#### MOTION PASSED

The committee discussed with concern the patient's ED information is not complete on the short run trip ticket, and they ask for the Board to revisit the regulation to increase the compliance.

They also would like to ask for an adhoc committee to look at .15-Ambulance Services Records, which is data reporting. The new data system will cause some regulation changes and more information will be needed in the short run report.

Chairman Cochran said he would appoint the adhoc committee later in the meeting.

Ms. Tidwell announced Knoxville and Region 2 were participating in a pilot program using bar code scanners for disaster for patient tracking system. The Knox County Health Department has purchased the server and system to scan and do bar coding during disasters and have included the Region 2 ambulance service directors in the program.

The next Clinical Issues meeting will be September 2 at 10:00 a.m., location will be announced.

#### **COMMUNICATIONS COMMITTEE**

Richard Land reported the Communication Committee met on June 16<sup>th</sup>. All major cities in Tennessee are represented on the committee, with good participation by the rural areas as well as 911 committee members. Therefore, the committee has good technical input.

At the meeting, the provisions for more frequencies for medical services use were discussed. An identification of a low power, new frequency, 155.295, for use in bio-terrorism and for on-scene emergencies was also discussed. There are some changes in modifications for 280 and on the traditional use of 155.340.

There are many changes at the FCC rules for spectrum use. The committee proposed in the future a requirement of a digital control squelch on 155.205, adopting that channel as a mutual aid channel across the state for EMS purposes. Dispatch entities, including 911 centers, that dispatch emergency ambulances would maintain and monitor 155.205.

The last time the State EMS communication plan and regulations were updated was 1997. With all the changes and modifications forthcoming, rulemaking will be scheduled in the next several months. The Division has asked for the position of a radio communications manager to be entered into the budget to manage this important area of EMS that is changing so rapidly.

### **EDUCATION COMMITTEE**

The Education Committee met on Tuesday, June 22, 2004 at the Mid-Cumberland Regional Office. The following subcommittee reports were submitted:

a. Paramedic skills competency manual: The skills sheets were reviewed and a draft copy will be available by the next meeting for approval by the Committee, and to bring to the Board.

b. Program Approval: This sub-committee will re-write 1200-12-1-.13. The basic EMT requirement changes are almost complete. They have started working on the paramedic program approval section.

c. Paramedic Renewal Exam: The review of the questions from the first assignment have begun. The committee decided to make assignments for the rest of the modules and then meet at a later date to assemble the test. In order to validate the exam, we will ask the IC's at the 2005 conference to take the exam. Walter State has purchased a new computer program/system and has agreed to validate it. The EMT renewal exam was finished last August and we hope to have it validated also.

The IC Conference will be at the Maxwell House in Nashville July 7 and 8. An IC candidate testing will be conducted in Franklin hosted by Columbia State on Tuesday, July 6 prior to the IC conference.

The regional consultants have been asked to meet with their regional directors' associations to ask for support a quarterly meeting of their training coordinators with the consultants to organize and share training information in the regions.

At this point of her report, Ms. Tidwell ask the Board to approve an expansion of the membership of the Education Committee to include a representative from each one of these regional training groups, which would be eight additional members to the committee, and to

include a representative from the American Heart Association, for a total of nine additional members.

Susan Earl moved to accept; second by Mark King. During discussion, Ms. Tidwell said the AHA representative would be nominated by the regional manager and would be an AHA faculty member. This member could help ensure we were meeting the current AHA standards and guidelines.

Chairman Cochran called for the vote.

Dr. Alderson	yes	Steve Jones	yes
Dr. Barker	absent	Mark King	yes
Sid Cox	absent	Don Mosby	yes
Susan Earl	yes	Grady Scott	absent
Darren Ellenburg	yes	Dr. White	yes
Larry Griffin	yes	Ken Wilkerson	yes
Chairman Cochran	yes		

MOTION PASSED

### **CRITICAL CARE COMMITTEE**

The committee met on June 8<sup>th</sup> at the Mid-Cumberland Regional Office. The committee proposed the addition to the scope of practice, and for the recommendation to be considered for a rulemaking hearing.

Rule 1200-12-1-.04 (3) (a) to have the following added as number 4 and numbering change appropriate so the rule change will read:

Emergency Medical Technician Paramedic Critical Care or students during training in an approved Critical Care Program may utilize the following procedures under medical control:

- (i) Ability to access and use devices that will render results for the direction of care for the patient during transport.
- (ii) Access exiting and manage invasive lines such as but not limited to: PICC, Hickman, Portacahts, Central and Arterial lines.
- (iii) Initiate and manage ventilators
- (iv) Management of trachesotomy tubes
- (v) Initiating and managing surgical airways
- (vi) Provide care for cardiac patients, with, but not limited to, cardiac interventions and advanced therapeutic devices
- (vii) Perform and interpret 12-lead electrocardiograms

After clarifications and voiced concerns on ISTATS performed in the field, the wording of (i) was **changed to read: the ability to access and use Board approved point of care testing devices for direction of care for the patient during the course of authorized duties.**

Advisory attorney, Ernie Sykes, clarified the authorized duties are defined by the Practice Act, and this was concerning the critical care, not the technical certificate paramedic.

Larry Griffin made the motion to send the proposed additions to rulemaking hearing for the scope of practice for critical care paramedic. Dr. White seconded the motion.

The roll vote on the motion was:

Dr. Alderson	yes	Steve Jones	yes
Dr. Barker	absent	Mark King	no
Sid Cox	absent	Don Mosby	no
Susan Earl	no	Grady Scott	absent
Darren Ellenburg	no	Dr. White	yes
Larry Griffin	yes	Ken Wilkerson	yes
Chairman Cochran	yes		

MOTION PASSED; with six (6) yes and four (4) no

A ten minute break was taken.

After the break, Donna Tidwell continued the Critical care report. The committee asked for the Board's approval to draft additional rules for program approvals in 1200-12-1-.13 to regulate the paramedic critical care programs to ensure new programs conform with Board approved standards, and to ensure the graduates of approved programs are eligible for certification of these approved standards.

The committee also asked for approval to look into the potential an additional level of licensure with a degree for the paramedic that would be acceptable to the Board.

Steve Jones moved to accept the request of the committee; seconded by Ken Wilkerson.

Chairman Cochran wanted to go on record for the Board endorsing the continued work toward the degree program.

Chairman Cochran called a roll call vote. All members present voted yes. Absent were Dr. Barker, Sid Cox, and Grady Scott. MOTION PASSED

The next meeting of the Critical Care Committee will be August 17, 10:00 a.m., at the Mid-Cumberland Regional Office.

### **TRAUMA CARE ADVISORY COUNCIL**

In the absence of the chairman of the committee, Dr. Don Barker, Donna Tidwell informed the Board a trauma statistician coordinator had been hired to start July 16<sup>th</sup>.

## **STAFF REPORTS**

Richard Land

- 2004 Legislation – Mr. Land distributed copies of three (3) legislative bills which will affect EMS Chapter 68-140, Title 6, Chapter 140.

The first is Public Chapter 525; amended the EMS Act to provide for ambulance services license and permits issued in 2004 to expire on June 30, 2005, and thereafter June 30 expirations of each year.

Chapter 551 provides waiver authority for certain fixed-wing nonprofit air ambulance Services to apply to the Division for ambulance licensure and seek such a waiver before the Board.

Public Chapter 873 allows EMS employers to perform a criminal background check on their employees and sets forth the procedures. This does not require Board action. The cost, etc. is upon the employer.

Public Chapter 743 is the Mutual Aid Emergency and Disaster Assistance Agreement Act of 2004.

Public Chapter 862, the Tennessee Health Care Decisions Act-This bill rewrites the existing laws regarding advanced directives and Do not Resuscitate (DNR) orders. It repeals the existing provisions in the EMS laws concerning the DNR orders but does allow for any existing orders to be honored.

- Ambulance Service Issues

Ambulance service renewal dates are changing and new procedures for inspection, audits and the licensing process will be in the development process.

Wes Bowden continues to work on the new on-line application and inspection programs.

- Rural AED Grant

The continuation application was submitted April 12 for the third year of funding. It is a noncompeting application and depends upon the assignment of federal appropriations for our continued rural access to emergency devices grant.

The public access defibrillation grant program is available; however, the State is not submitting applications for that program. Local agencies may submit applications and The information is available through their regional consultants or health resource services administration online at [www.hrsa.gov](http://www.hrsa.gov)

Donna Tidwell

Ms. Tidwell announced the new region consultant for Region 8 was Clint Buchanan. Mr. Buchanan is a former board member and board chairman and was also the director of Memphis Fire Department EMS before his retirement.

Former Region 8 consultant, Al Beyer, who also was an instructor at Southwest Community College, died suddenly last week.

- EMS Personnel License  
450 First Responders, EMTs, Basic IVs, paramedics and reciprocity have been licensed since May 1<sup>st</sup>; 350 of the 450 were EMT IV and IV upgrades.
- Evaluators  
117 practical evaluators trained in April; new evaluators testing began in May
- Data Reporting System  
Licenses and programs needed to complete the set-up have been received. The schedule is have all services reporting through the system or with the data set format by January 1, 2005. EMS service directors have received a letter about this and the letter is also posted on the EMS website.

Tennessee was one of the first states to sign on to the national data set. There are an additional forty four (44) states now. The first states will have some federal funding to assist them in initiating the data set.

- Class A Biological Agents CD

The Department has approved the contract with Paratus to develop the CD. It will cover components of SARS, syndromic surveillance, decontamination of a unit after a biological SARS event, and CISM information for management of personnel.

There will be information on the regional bioterrorism emergency coordinators with a description of their roles and responsibilities. A spot will be specialized for dispatchers and what they need to be “tune” to.

- Bio-Terrorism Hospital Grant  
Training Grant

Next year’s training grant has been submitted for \$80,000. This grant will concentrate on incinerary devices and a common triage system for the state to work with the bar coding system. The grant is being written for three (3) years, with each year looking at a different area of training concern; i.e. chemical, radiological, terrorists, etc.

#### MARK1 Kits

Six thousand (6,000) kits have been ordered and sent to the regional consultants’ offices.



These are to be sent to the ambulance services. It is part of the contract these kits are to be on the ambulance, and not housed in the ambulance service or other location. The MARK1 kits will be for Tennessee permitted ambulance only.

Funding for MARK1 trainers have been received and will be distributed to the services and schools.

Chairman Cochran asked about the expiration on MARK1 kits. Richard Land replied once we receive them we would have about a fifty (50) month or four (4) year window. The Clinical Issues Committee will be addressing this at a future meeting in a form of a recommendation for the Board.

Joe Phillips

The monthly report was distributed to the Board members. There were not any questions or comment on the report.

## OLD BUSINESS

### Travel Claims

Terrie Finch instructed the board members on the new form and reminded the board to sign their forms in blue ink.

### December Minutes

Due to an oversight of a motion in the December minutes, which the Board has put back on the table, Voted, and passed; the December minutes will be corrected. The Board had previously approved these minutes. Once corrected, they will be e-mailed for review, and then presented for vote.

### March Minutes

The 2004 March Board Meeting Minutes had been distributed for earlier review. Darren Ellenburg made the motion to approve the March minutes; seconded by Don Mosby. By a voice vote, all members vote yes, none were opposed. MOTION PASSED.

### Proposed Meeting Dates 2005

March 23 and 24

June 22 and 23

September 14 and 15 or September 28 and 29

November 30 and December 1

On the September dates, the Board decided on September 14 and 15.

Chairman Cochran entertained a motion to approve to 2005 dates selecting September 14 and 15. "So Moved" by Larry Griffin; seconded by Steve Jones. A voice vote unanimously approved the motion.

Chairman Cochran, Steve Jones, and Dr. Alderson board terms were about to expire and they wanted to express their appreciation of having the opportunity to work on the EMS Board, and what a pleasure it had been to work with everyone.

#### ANNOUNCEMENTS

The Tennessee Emergency Medical Service Education Association Annual Conference will be held on July 7<sup>th</sup> and 8<sup>th</sup> at the Maxwell House in Nashville.

Darren Ellenburg moved to adjourn; seconded by Ken Wilkerson. All voted YES!!

Respectfully submitted,

Terrie E. Finch  
Administrative Assistant  
Emergency Medical Services  
Regulatory Board  
Tennessee Department of Health